

JIMENEZ OID
RECOMMENDATIONS FOR DISCUSSION
POLICY, TACTICS, & OTHER
13-034 | P13-133894

Date Occurred: September 13, 2013
Time of Occurrence: 2108 Hours
Decedent: Hector Enrique Jimenez
Location: 2395 10th Street, Riverside

POLICY

- Riverside Police Department should establish proper time parameters for completion of OID Investigations.
- Location history has to be obtained and delivered to officers while enroute to calls.
- Establish a Departmental Order "Recommended Response to Mentally Ill Subjects." (I only see a 5150 section for Commitments in their new Departmental Orders. I could have missed it since there are almost 700 pages. I will continue looking.)
- On all calls received by RPD dispatch when it can be determined that the situation involves a possible suicidal suspect or someone having a mental health event, if on duty, the RPD Mental Health Team shall be dispatched to the call.
- Additionally, two supervisors of sergeant rank or above shall be dispatched to the call. This will allow one of the supervisors to assess and manage the scene and the other one to manage the tactical deployment of resources and implementation of an operational plan while in communication with the on-scene supervisor / commander.
- I think RPD is doing a great job by having a mental health professional ride along 40 hours each week, and I further recommend regular training of RPD personnel on how to recognize the signs of mental illness, and how best to respond so that **all parties remain safe** (the suspect, officers, and bystanders).
- If in fact it is the Department's Policy not to release a K-9 Dog in situations like this, why have the Dog present in this small yard. The Dog was barking the entire time and just adding to the high intensity of the moment. I think in all future suicide situations the use of Dogs only increases the level of stress on the situation and in no way slows down the process of talking with the subject.
- 40mm Less Lethal 12 gauge shotgun sponge round weapon. It appears the Minimum Safe Range in the use of this weapon is 33 feet. In this situation Mr. Jimenez was only 15 feet from the weapon. In my opinion, this weapon shouldn't have been in the yard as it could cause serious injuries and in this case did in fact cause serious injuries. In reviewing the

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Coroner's Autopsy report, a bean bag projectile passed through his soft tissues and muscles of the upper left chest, fractured the left third rib and was found to be pressing against the upper lobe of the left lung. Considering the distances of the subject to the police officers (15 feet), the only less lethal weapon which could be used is the Taser.

TACTICS

- Consider shutting down Code 3 runs when you have at least two officers on scene unless initial officers determine the need for fast response of additional officers.
- The responding supervisor should have evaluated the need for a certain number of officers.
- The family should have been directed out of the house sooner. (They were within the window, the backdrop to where Jimenez sat.)
- If Mental Health issues are known, employ tactics learned in Mental Health training. (Obviously this is hard to apply to this case now.)
 - Sufficient supervision should be on scene.
 - The sergeant (supervisor) should not serve as the primary negotiator. He / She should be directing the response.
 - Assess the scene; give sufficient space to the mentally ill subject if safe to do so.
 - Move slowly. Resist the temptation to move in too quickly. (Immediate action is necessary if danger to officers or citizens exist.)
 - If available, call in Mental Health Team.
 - Attempt to "calm the scene." Employ verbal de-escalation skills and active listening. Be compassionate.
- Less-lethal options need to be in place if safe to do so. Appropriate distance needs to be used - Taser closer, shotgun more distant. (This again is not as timely due to length of OID review.)
- If less-lethal officers are in place, avoid bringing a K9 on scene.
- Although the sergeant ultimately gained more of a one-on-one with the subject, avoid having several officers yelling directions at the same time.
- My specific recommendation to RPD with respect to how they respond to and approach any subject who has any hint of a mental health issue is to do their best to contain the suspect within a given and visible area, speak softly to the suspect, and focus on slowing all events down - in order to give the suspect some time to deal with the reality of their situation. I also recommend that the potentially mentally ill person be given some additional space between

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the responding officer(s) and himself - what that means is situational, but enough space so as to not make the mentally ill person feel threatened.

- If the suspect is unarmed, then my recommendation is that if force must be used that it be less than lethal, whenever possible.
- If the potentially mentally ill suspect poses an immediate danger to others, then my recommendation is that immediate steps be taken to detain the individual - using whatever means are necessary.
- The most obvious sign to a responding officer that a suspect might be mentally ill would be anything regarding suicide.
- It's my opinion that Sgt. Toussaint, the supervisor on scene, shouldn't be the negotiator. Since no tactical plan was developed prior to entering the yard, Sgt. Toussaint should have designated one of the other officers to act as one, while he stood back and formalized his action plans along with communicating them with the other officers. Supervision could have been better.
- It appears to me that the appropriate policies are in place, but these officers ran in to the scene without giving thought to how best to approach the situation. If someone had taken command of the situation, limited the number of officers involved, and appropriately used the less lethal weapons on scene, I believe this situation could have been avoided.
- My only recommendation in this case would be to try and deploy the less lethal options sooner to facilitate a different outcome.

OTHER

- Riverside District Attorney should establish proper time parameters for completion of OID Investigations. (I realize there was a new DA on scene, but if established limitations are in place, they'd work a little harder to complete these in a timely manner. We should **never** be reviewing a case two years after it happened. This makes our recommendations completely out of date for the OID time of occurrence.)
- I hope that RPD has already taken steps to avoid this type of situation from occurring again by providing appropriate training to the Sergeant on taking command of a situation and to all of the officers on dealing with mental health issues. Just because someone appears to want to commit "suicide by cop" does not mean that police need to comply. Every effort should be made to avoid having death be the outcome in that situation. I believe there were many opportunities for this tragedy to have been avoided.